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RISK

Issues in Health & Safety

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<i>John M. Gleason and Darold T. Barnum</i>	

Substance abuse in the U.S. has been estimated to cost \$99 billion annually through lower productivity. Yet the authors urge caution in attempting to reduce these costs and health and safety risks. In doing so, they cite commonly high frequencies of false negatives and false positives in employee drug tests — the latter having the potential to do great injustice to many drug-free employees.

PHARMACEUTICAL RISK AND THE QUALITY OF LIFE	19
<i>Beat Hiltbrunner and Andreas Breitsprecher</i>	

Quality-of-life research is briefly described and said to be in its infancy. However, the authors observe that such studies may, e.g., make it possible to better match patients and therapies. They also predict that, as scientific difficulties are overcome, the pharmaceutical industry will become more active in planning, implementing and evaluating such research.

AN EMPIRICAL ANALYSIS OF THE MEDICAL INFORMED CONSENT DOCTRINE: SEARCH FOR A "STANDARD" OF DISCLOSURE	27
<i>Jon F. Merz</i>	

Informed consent and its conceptual equivalents, e.g., right-to-know, are increasingly important. The author discusses the development of the informed consent doctrine in tort cases and attempts to evaluate the consistency of its application. He concludes that it is difficult to separate that which must be disclosed

from that which need not be. He also argues that much remains to be done in achieving the objectives of the informed consent doctrine.

REGULATION VS. THE MARKET: THE CASE OF BICYCLE SAFETY [PART I] . . . 77
Ross D. Petty

This part of the article describes events leading to the creation of the Consumer Product Safety Commission — and the on-going debate between those who believe safety regulation is necessary and those who believe that market forces can achieve acceptable levels of risk. The author also sets the stage for a detailed examination of bicycle risk. In the next issue, he compares the accomplishments of the CPSC's bicycle standard with, e.g., the development and use of hardshell bicycle helmets. Moreover, he discusses the role of tort liability in managing risk and ultimately concludes that, in the case of bicycle safety, regulation has failed to be as effective as market forces and tort litigation in reducing injuries.

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